

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

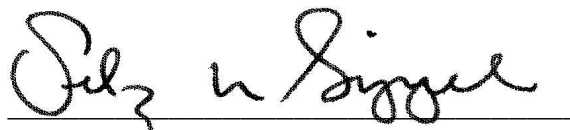
DEREK JAMES	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. 4:06CV979 RWS
	)	TCM
	)	
DAVE DORMIRE,	)	
	)	
Respondent.	)	

**MEMORANDUM AND ORDER**

This matter is before me on petitioner's motion to vacate the referral of this matter to Magistrate Judge Thomas C. Mummert, III because petitioner did not consent to the referral. The motion will be denied because petitioner's consent is not required for a referral to a magistrate judge for a report and recommendation on dispositive matters and for rulings on non-dispositive matters under 28 U.S.C. § 636(b)(1).

Accordingly,

**IT IS HEREBY ORDERED** that the motion to vacate referral [#51] is denied.

  
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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 15th day of May, 2008.